

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 LAUSTEVEION JOHNSON,

3:14-cv-00178-RCJ-VPC

4 Plaintiff,

5 v.

**REPORT AND RECOMMENDATION**  
**OF U.S. MAGISTRATE JUDGE**

6 N. YOUNG, *et al.*,

7 Defendants.  
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9 This Report and Recommendation is made to the Honorable Robert C. Jones, United States  
10 District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §  
11 636(b)(1)(B) and LR IB 1-4.

12 Lausteveion Johnson ("plaintiff") is an inmate in the custody of the Nevada Department of  
13 Corrections ("NDOC"). Proceeding *pro se*, plaintiff asserts civil rights claims against several Ely  
14 State Prison and NDOC officials. Before the court is plaintiff's motion for summary judgment  
15 (#38), filed on March 30, 2015. Because plaintiff had reached his copy work limit, exhibits "A"  
16 through "M" were missing from the filing. Plaintiff then filed a duplicate copy of the motion, with  
17 exhibits attached, on June 1, 2015 (#56).

18 On October 8, 2015, the court addressed the merits of plaintiff's June 1 motion in a Report  
19 and Recommendation (#60). Accordingly, the court recommends that plaintiff's May 30 motion be  
20 denied in its entirety.

21 The parties are advised:

22 1. Pursuant to 28 U.S.C. § 636(b)(1)(c) and Rule IB 3-2 of the Local Rules of Practice,  
23 the parties may file specific written objections to this Report and Recommendation within fourteen  
24 days of receipt. These objections should be entitled "Objections to Magistrate Judge's Report and  
25 Recommendation" and should be accompanied by points and authorities for consideration by the  
26 District Court.  
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1           2.       This Report and Recommendation is not an appealable order and any notice of appeal  
2 pursuant to Fed. R. App. P. 4(a)(1) should not be filed until entry of the District Court's judgment.

3                               **RECOMMENDATION**

4           **IT IS THEREFORE RECOMMENDED** that plaintiff's motion for summary judgment  
5 (#38) be **DENIED** in its entirety.

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7 **DATED:** October 9, 2015.

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**UNITED STATES MAGISTRATE JUDGE**